

Article - Public Utilities

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§18–205.

(a) The labor relations administrator shall conduct an election for an exclusive representative after:

(1) an employee organization demonstrates, by petition, that at least 30% of the eligible employees in a bargaining unit support representation by an exclusive representative for collective bargaining; or

(2) an employee or an employee organization demonstrates, by petition, that at least 30% of the eligible employees in a bargaining unit no longer support the current exclusive representative.

(b) (1) At least 45 days before an election, the labor relations administrator shall provide, and the Commission shall post in conspicuous places in the Commission's facilities, a notice of the upcoming election.

(2) The notice shall contain:

(i) the date, time, and place of the election;

(ii) a description of which employees are eligible to vote in the election;

(iii) notification that a list of the names and home addresses of employees eligible to vote will be provided to the participating employee organizations;

(iv) instructions on how employees can remove their addresses from the list in accordance with subsection (c)(2) of this section; and

(v) any other information that, in the judgment of the labor relations administrator, is appropriate to convey to Commission employees.

(c) (1) At least 45 days before an election, the labor relations administrator shall obtain from the Commission the eligible employee voting list, which includes the names and home addresses of every employee in the bargaining unit.

(2) Commission employees may have their addresses removed from the eligible employee voting list by individually notifying the labor relations administrator in writing within 15 days after the posting of the notice required in subsection (b) of this section.

(3) After the 15-day period, the labor relations administrator shall provide the redacted eligible employee voting list to the employee organization.

(4) The provision of the eligible employee voting list under this subsection by the Commission, the labor relations administrator, or a Commission official, employee, or other agent does not constitute a violation of § 4-331 of the General Provisions Article or any State or local law, regulation, or ordinance.

(d) Elections shall be conducted by secret ballot containing:

(1) the name of each employee organization that submits a valid petition requiring an election;

(2) the name of any other employee organization supported by a petition signed by at least 10% of the eligible employees in the bargaining unit; and

(3) an option for no representation.

(e) (1) If none of the choices on the ballot receives a majority of the votes cast, the labor relations administrator shall hold a runoff election.

(2) In the runoff election, the ballot shall contain the two choices that received the highest number of votes in the initial election.

(f) After the election, the labor relations administrator shall certify an employee organization that received a majority of the votes cast as the exclusive representative.

(g) The Commission and the employee organization or organizations shall share equally the costs of the election.

(h) (1) Elections may not be conducted:

(i) within 1 year after the date of a valid initial election under this section; or

(ii) except as provided in paragraph (2) of this subsection, during the term of a collective bargaining agreement.

(2) During the term of a collective bargaining agreement, a petition for an election may be filed only during November of the fiscal year in which the agreement expires.

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